

## **REMARKS**

This application has been carefully reviewed in light of the Office Action mailed August 24, 2004. A one-month time extension has been requested in which to respond to the Office Action. The specification has been amended. Corrected Figures 6, 7, and 8 are attached hereto. Claims 1, 5 and 7 have been amended. Reconsideration and favorable action in this application is respectfully requested.

An information disclosure statement pursuant to 37 CFR Section 1.97(c) is filed herewith. Entry of the references cited therein is respectfully requested.

Independent Claims 1, 5 and 7 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Croslin in view *Beurket et al.* Claims 1, 5 and 7 have been amended as it is respectfully submitted that these claims are now in condition for allowance.

The present invention relies on a network map for a user-base of the entire Internet. Instead of probing each local name server that is connectable to a mirrored data center, the network map identifies connectivity with respect to a much smaller set of points, referred to in the application as "core" or "common" points. Each set of mirrored data center has an associated map that identifies a set of core points. Core points are identified using an incremental trace route that is executed from each of the set of mirrored data centers to a local name server. An intersection of the trace routes at a common routing point is then identified. The core point discovery process is illustrated in Figure 3. The trace routes are between data centers and local name servers. The core points are the intersection point of a trace route or near or substantially near the intersection point.

Unlike the present invention, the *Croslyn* reference, does not locate intersection points utilizing trace routes performed on the Internet. *Croslyn* builds sub-route tables based upon nodes identified by topology data. Points are identified from these tables, and not a trace route. Applicants submit that an intersection table does not anticipate nor render obvious applicants' invention of utilizing trace routes over the Internet to locate intersection points. It is therefore respectfully submitted that Claims 1, 5 and 7 as amended, are now in condition for allowance.

Claims 2-4, depending from Claim 1; and

Claim 6, depending from Claim 5, further defines present invention and it is respectfully submitted that these claims are also in condition for allowance.

In view of the foregoing reasons, allowance of Claims 1-7 pending in this application is respectfully requested. If the Examiner has any questions regarding this Amendment, the Examiner is respectfully requested to telephone the undersigned attorney for Applicants.

Respectfully submitted,



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FIG. 5

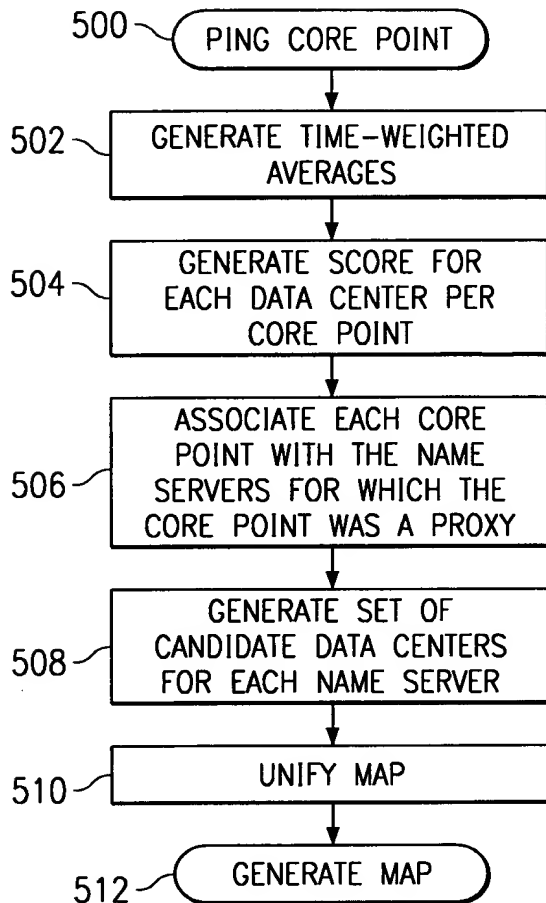
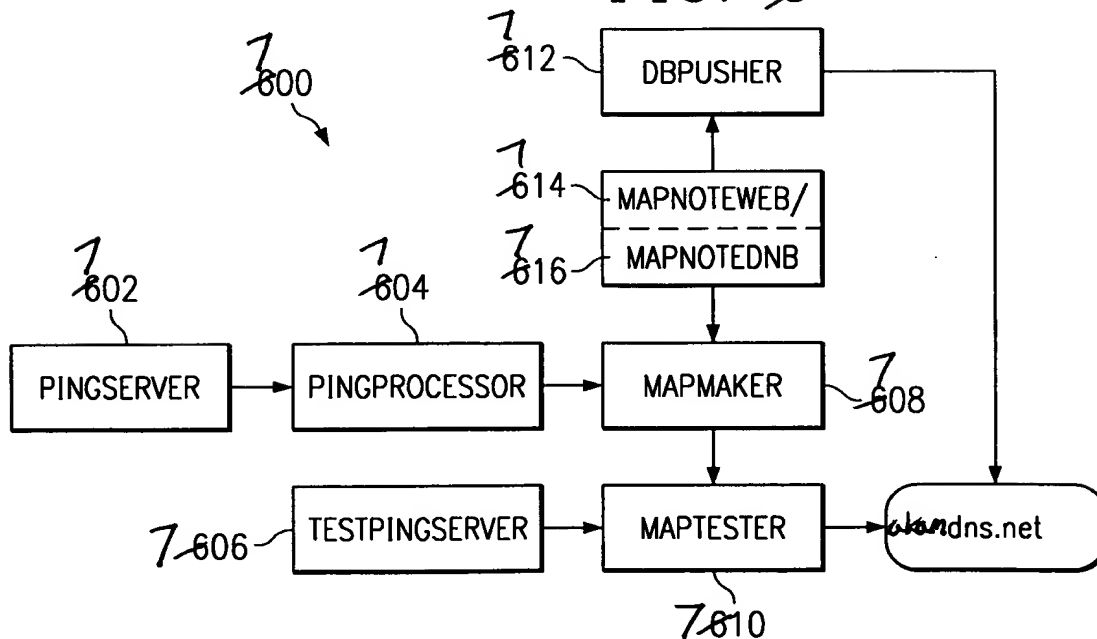


FIG. 6





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ANNOTATED SHEET SHOWING CHANGES

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FIG. 78

**Netscape:** File Edit View Go Bookmarks Options Directory Window Help

MAP: stg-AN-SJC2-1.20000524140438  
RESULTS FOR: 216.254.95.2

IP Address:	216.254.95.2	IP Block:	216.254.95.2/19
Mapped To:	EK-VAB	Reason:	Ping Data

Ping Results

Core Point:	144.232.9.222	Number of Nameservers:	1
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DC	TOTAL SCORE	LAST PINGED	RECENT LATENCY	AVG LATENCY	RECENT LOSS	AVG LOSS
EX-VAB	71	Wed May 24 14:03:52 2000	71	71	0	0.000
FGC-SNV2	397	Wed May 24 14:03:59 2000	54	27	1	0.125

Ping Results

Core Point:	144.232.9.225	Number of Nameservers:	10
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DC	TOTAL SCORE	LAST PINGED	RECENT LATENCY	AVG LATENCY	RECENT LOSS	AVG LOSS
EX-VAB	12	Wed May 24 14:03:52 2000	12	12	0	0.000
FGC-SNV2	483	Wed May 24 14:03:59 2000	93	66	1	0.129

8 sl-bb12-rtty-6-0,sprintlink.net(144.232.7.253)2,493 ms  
9 sl-bb10-nyc-7-0,sprintlink.net(144.232.9.225)12,189 ms  
10 sl-gw9-nyc-8-0,sprintlink.net(144.232.7.94)11,953 ms  
11 sl-Intsmapnyc-19-1-0,sprintlink.net(144.232.173.50)8,348 ms  
12 border10-fa2-0-fens12-nyc.pnap.net(209.191.128.1.42)9,049 ms  
13 spk-l-nyc,dsisp.net(209.191.175.193)19,963 ms  
14 nyc.speakeasy.net(216.254.95.2)7,854 ms  
DONE!

8 sl-bb12-rtty-6-0,sprintlink.net(144.232.9.217)67,454 ms  
9 sl-bb10-nyc-7-0,sprintlink.net(144.232.9.225)68,310 ms  
10 sl-gw9-nyc-8-0,sprintlink.net(144.232.7.94)68,303 ms  
11 sl-Intsmapnyc-19-1-0,sprintlink.net(144.232.173.50)69,474 ms  
12 border10-fa2-0-fens12-nyc.pnap.net(209.191.128.1.42)70,119 ms  
13 spk-l-nyc,dsisp.net(209.191.175.193)90,627 ms  
14 nyc.speakeasy.net(216.254.95.2)68,700 ms  
DONE!

## **Drawings**

In the drawings:

Formal drawings were filed on November 30, 2001 in response to a notice to file missing parts. However, upon review of these drawings, several errors have been detected.

Figure 6 is incorrect. A corrected Figure 6 is submitted herewith.

The submitted Figure 7 has been improperly labeled as Figure 7, and should have been Figure 8. A corrected Figure 8 is submitted herewith.

A corrected Figure 7 is also been submitted herewith, which corrects the previously filed Figure 6.

Annotated sheets showing changes to Figures 6 and 7 accompany this amendment, and replacement sheets for Figures 5, 6, 7, and 8 are attached.

The changes made are all consistent with the originally filed informal drawings.

